

**S/N 09/746,205**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Charles L. Brabenac

Examiner: James K. Trujillo

Serial No.: 09/746,205

Group Art Unit: 2116

Filed: December 22, 2000

Docket: 884.336US1

For: PORT-BASED PACKET FILTER

Customer No. 21186

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**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This responds to the Notice of Non-Compliant Appeal Brief mailed on February 13, 2007. In compliance with MPEP 1205.03(B) and 37 CFR 41.37(c)(1)(iii), Appellants submit the following corrected section from Appellant's previously-submitted Supplemental Appeal Brief filed December 8, 2006.

Please replace the previously-submitted Claims Appendix with the amended Claims Appendix.

**CONCLUSION**

In accordance with MPEP 1205.03(B) and 37 CFR 41.37(c)(1)(iii), only the non-compliant section of Appellants' previously-submitted Appeal Brief has been included in this response.

Appellants respectfully request that the Examiner withdraw the non-compliant status and examine the Appeal Brief.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Appendix: Claims Appendix, as amended (8 pages)

## **CLAIMS APPENDIX, AS AMENDED**

1. (Cancelled)
2. (Rejected) A method, comprising:
  - receiving a packet at a port filter, wherein the packet comprises a port number;
  - determining whether there is a host application associated with the port number;
  - when there is not a host application associated with the port number, discarding the packet; and
  - when there is a host application assigned to the port number, sending a wake-up message to a power-managed host computer that is operable in either a power-managed state or an operational state.
- 3-4. (Cancelled)
5. (Rejected) The method of claim 2, further comprising:
  - receiving information from the host computer; and
  - using the information to carry out determining whether there is a host application associated with the port number, wherein the information comprises executable instructions.
- 6-8. (Cancelled)

9. (Rejected) The method of claim 2, further comprising:  
detecting a port in use by the host application;  
selecting information based on the port in use by the host application; and  
sending the information to the port filter, wherein the port filter uses the  
information to carry out determining whether there is a host application associated with  
the port number, wherein the information comprises executable instructions.

10-11. (Cancelled)

12. (Rejected) A signal-bearing media comprising instructions, wherein the  
instructions when read and executed by a processor comprise:  
receiving a packet comprising a port number;  
determining whether there is a host application associated with the number; and  
when there is a host application associated with the port number, sending a wake-  
up message to a power-managed host computer that is one of a laptop computer and a  
portable computer operable in either a power-managed state or an operational state.

13. (Rejected) The signal-bearing media of claim 12 further comprising:  
when there is not a host application assigned to the port, discarding the packet.

14. (Cancelled)

15. (Rejected) The signal-bearing media of claim 12, further comprising:

receiving information from the host computer; and  
using the information to carry out determining whether there is a host application associated with the number.

16. (Rejected) The signal-bearing media of claim 15, wherein the information comprises executable instructions.

17. (Rejected) The signal-bearing media of claim 15, wherein the information comprises data, and wherein the data is to describe the host application.

18. (Rejected) The signal-bearing media of claim 15, wherein the information comprises data, and wherein the data is to describe the port number.

19. (Rejected) The signal-bearing media of claim 12, further comprising:  
detecting a port in use by the host application;  
selecting information based on the port in use by the host application; and  
sending the information to a port filter, wherein the port filter uses the information to carry out determining whether there is a host application associated with the number.

20. (Rejected) The signal-bearing media of claim 19, wherein the information comprises executable instructions.

21. (Rejected) The signal-bearing media of claim 19, wherein the information comprises data, wherein the data describes the host application.

22. (Rejected) The signal-bearing media of claim 19, wherein the information comprises data, wherein the data describes the port number.

23. (Rejected) An apparatus, comprising:

a port filter to

receive a packet comprising a port number,

determine whether there is a host application associated with the port number, and

send a wake-up message to a host computer when there is a host application associated with the port number, wherein the host computer is operable in either a power-managed state or an operational state.

24. (Rejected) The apparatus of claim 23, wherein the port filter further is to:  
discard the packet when there is not a host application associated with the port number.

25. (Rejected) The apparatus of claim 23, wherein the port filter further is to:

receive program information from the host computer; and

use the program information to execute determining whether there is a host application associated with the port number.

26. (Rejected) The apparatus of claim 25, wherein the program information comprises executable instructions.

27. (Rejected) The apparatus of claim 25, wherein the program information comprises data to describe the host application.

28. (Rejected) The apparatus of claim 25, wherein the program information comprises data to describe the port number.

29. (Rejected) The apparatus of claim 23, wherein the wake-up message is to cause the host computer to change from the power-managed state to the operational state.

30. (Rejected) The method of claim 2 further comprising sending the packet to the power-managed host computer when there is a host application associated with the port number.

31. (Rejected) The method of claim 2 further comprising applying a first stage filter to:

- receive the packet;
- interrogate the packet as to whether the packet includes data that matches selected data of the host computer;
- forward the packet when the packet includes data that matches selected data of the host computer; and
- reject the packet when the packet does not include data that matches selected data of the host computer.

32. (Rejected) The method of claim 31 wherein the first stage filter includes a pattern filter.

33. (Rejected) An apparatus, comprising:

a first stage filter to:

receive a packet;

interrogate the packet as to whether the packet includes data that matches selected data of a host computer; and

reject the packet when the packet does not include data that matches selected data of the host computer;

a second stage filter to:

receive the packet comprising a port number;

determine whether there is a host application associated with the port number; and

reject the packet when there is not a host application associated with the port number,

wherein the apparatus further is to present the packet to the host computer when there is a host application associated with the port number and when the packet includes data that matches the selected data of the host computer.



34. (Rejected) The apparatus of claim 33 wherein when there is a host application associated with the port number and when the packet includes data that matches the selected data of the host computer, the apparatus further is to send a wake-up message to the host computer, wherein the host computer is operable in either a power-managed state or an operational state.

35. (Rejected) The apparatus of claim 33 wherein the first stage filter includes a pattern filter and the second stage filter includes a port filter.

36. (Rejected) A method, comprising:

receiving a packet at a first stage filter to interrogate the packet as to whether the packet includes data that matches selected data of a host computer;

rejecting the packet when the packet does not include data that matches selected data of the host computer;

receiving the packet at a second stage filter, wherein the packet comprises a port number;

determining whether there is a host application associated with the port number at the second stage filter; and

rejecting the packet when there is not a host application associated with the port number.

37. (Rejected) The method of claim 36, when there is a host application associated with the port number and when the packet includes the data that matches the selected data of the host computer, the method further comprising selecting from a group including:

    sending a wake-up message to the host computer that is operable in either a power-managed state or an operational state, and  
    presenting the packet to the host computer.

38. (Rejected) The method of claim 36 wherein the first stage filter includes a pattern filter and the second stage filter includes a port filter.